

Customer No.: 31561
Application No.: 10/605,010
Docket No.: 10876-US-PA

REMARKS

Present Status of the Application

The Office Action mailed on July 23, 2004 asserts that pending claims 1-13 are directed to patentably distinct species including Species I (claims 1-9) and II (claims 10-13), and requires Applicants to elect a single species. In response thereto, Applicants have elected Species I. However, Applicants submit that Species I and II should not be divided under 35 U.S.C. 121 *because claim 1 is a generic claim*, and therefore respectfully request withdrawal of the Restriction Requirement.

Applicants' Election

In response to the Restriction Requirement, Applicants have elected Species I, which is illustrated in Figs. 2A-2B and corresponds to claims 1-9.

The non-elected Species II is illustrated in Figs. 3 and 4A through 4C and corresponds to claims 10-13.

Discussion of Necessity of Restriction Requirement

Applicants submit that Species I and II should not be divided under 35 U.S.C. 121 *because claim 1 is a generic claim*. That is, independent claim 1 of Species I is generic to

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independent claim 10 of Species II and claims 11-13 dependent from claim 10. The reasons are given below.

In claim 1 of Species I, a source/drain region of *a* first TFT of a first conductivity type is coupled with a source/drain region of *a* second TFT of a second conductivity type, as shown in Fig. 2A, wherein a source/drain region 206a of *one* first N-type TFT 210 is coupled with a source/drain region 216b of *one* second P-type TFT 220.

In claim 10 of Species II, a source/drain region of *at least one* first TFT of a first conductivity type is coupled with a source/drain region of *one of a plurality of* second TFTs of a second conductivity type, as shown in Fig. 3, wherein a source/drain region 306a of *one* first N-type TFT 310 is coupled with a source/drain region 316a of *one of two* second P-type TFTs 320.

The similarity between Species I and II can be easily understood from Fig. 2A and Fig. 3. Referring to Fig. 3, each second P-type TFT 320 is coupled with a source/drain region 306a of the first N-type TFT 310 *in the same way as illustrated in Fig. 2A*, i.e., via the same type of interconnection structure comprising contact metals and a conductive line. Therefore, *Species I and II are based on the same invention concept*, and Species I is generic to Species II.

Moreover, in claim language, the meaning of the article “*a*” is not limited to “*one*”, but also means “more than one” or “*a plurality of*” *when each one is the same*. Therefore, *the scope of “a” covers that of “at least one”*. Accordingly, for claim 1 of Species I, the scope of “*a first TFT*” covers “*at least one first TFT*”, and the scope of “*a second TFT*” covers “*one second*

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TFT" and "a plurality of second TFTs". Therefore, the combination of "at least one first TFT" and "a plurality of second TFTs" in claim 10 of Species II is *merely one of the possible combinations* in claim 1 of Species I.

As for other elements in claim 1, the scope of "a conductive line" should cover "a plurality of conductive lines" *since each conductive line is the same*, and the scope of "a source/drain contact metal" should cover "a plurality of source/drain contact metals" *since each source/drain contact metal is the same*. In addition, the inter-layer dielectric layer in claim 1 or 10 covers each TFT in the same way, and the term "gate" in claim 1 is generic to the term "gate line" in claim 10 since *a gate line is merely a specific form of gate*. That is, a gate can be formed in a linear shape (i.e., as a gate line) as in claim 10, or in any other shape required.

Therefore, Species I is generic to Species II, and the independent claim 1 of Species I is generic to the independent claim 10 of Species II. Accordingly, claim 1 is a generic claim among claims 1-13.

Since Species I and II are based on the same invention concept and there is a generic claim among Species I and II, Species I and II should not be divided under 35 U.S.C. 121. Therefore, Applicants respectfully request withdrawal of the Restriction Requirement.

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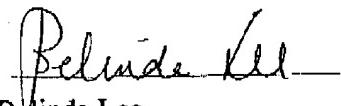
CONCLUSION

Applicants have elected Species I. However, for the forgoing reasons, it is believed that Species I and II should not be divided under 35 U.S.C. 121. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted

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Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office
7th Floor-1, No. 100
Roosevelt Road, Section 2
Taipei, 100
Taiwan
Tel: 011-886-2-2369-2800
Fax: 011-886-2-2369-7233
Email: belinda@jcipgroup.com.tw; usa@jcipgroup.com.tw